

REMARKS/ARGUMENTS

In response to the Non-Final Rejection mailed July 27, 2007, Applicants have amended claims 38, 47, 51, 56, 67, 71, 72 and 74, and present the following remarks.

Applicants wish to thank the examiner for indicating claim 37 to be allowable and claims 45-49, 52-66, 72 and 73 would be allowable if placed in independent form.

Claims 56 and 67 were objected to as containing inappropriate numerals. These have been deleted and therefore the objection has been overcome.

Claims 38-44, 50, 51, 67-71, 74 and 75 have been rejected under 35 USC 102(e) as being anticipated by Mercier.

While the examiner recognizes many differences between Mercier and the present invention as shown the considerable number of claims not rejected and the use of certain terms in the rejection to refer to quite different structures. The present invention can be visualized as having three basic parts with the first containing the second and the second containing the third. The first and second parts are lockable and the second and third parts are separately lockable. The exemplified use in the specification has a business controlling one of the locks (e.g. push rod 82 via 136) and the customer controlling the other lock (e.g. a key 70). As such it is important to have two independent locking mechanisms.

Mercier has only one type of locking mechanism. His locks 7 hold the boxes 3a, 5 or 6 by bolts 71. Mercier lacks any independent control by two securing means in any of his embodiments.

Claim 38 has been amended to clarify that the two securing means are separate mechanisms and therefore the rejection is no longer appropriate and should be withdrawn.

As a separate argument, claim 51 recites the presence of a "pair of locking arms" with the "bottom portion". The rejection, page 3, line 11 describes a "pair of locking arms (71)" as disclosing this component. The structure (71) in Mercier is a pair of bolts, which

are part of the locks, and external to the box. It is not clear what constitutes a “distal guide” for the Mercier bolts. Claim 51 has been amended to recite that the “locking arms with distal guide” are **contained inside** the box. This is further clarified by the language regarding the “entry opening” (e.g. the keyhole). Claim 51 recites “an entry opening leading to a pair of locking arms”; further indicating the locking arms are contained inside the box and functioning there. Accordingly, the rejection is not appropriate and should be withdrawn.

As another separate issue, the rejection is improper with respect to claims 43, 44 and 68-71 even without amendment. While the following points are difficult to see minor features of the present invention, should the above amendments and remarks be considered unpersuasive, the following is particularly important.

Claims 68-71 recite the “locking arms” have “lugs”. The Mercier bolt (71), which the rejection contends is a “locking arm”, is clearly smooth and thus does NOT have anything that can be considered to be a lug. Furthermore, as the claims are presently amended, the “locking arms” and their “lugs” are contained inside the box, something not suggested by Mercier.

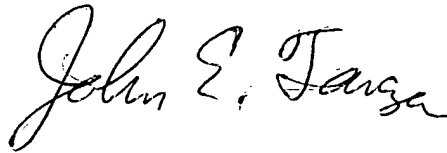
Claim 43 recites, “a pair of locking arms situated on the bottom part” and “each locking arm has a distal guide, an entry guide and a lug”. The rejection contends the taught bolts (71) are the “locking arms” of the claims. However, claim 43 has the locking arms situated **ON** the bottom part of the box, a configuration not shown by Mercier. Also, the Mercier bolts are smooth and cannot readily be said to have “a distal guide, an entry guide and a lug” as claimed.

In view of the above amendments, and/or comments, the claims are now in conditions for allowance and applicants request a timely Notice of Allowance be issued in this application. Accordingly, the rejection should be withdrawn.

Should any additional issues remain, the examiner is encouraged to contact the undersigned for prompt resolution of the matter.

If necessary, applicants petition for an extension of time sufficient for consideration of this response. The commissioner hereby is authorized to charge payment of any fees under 37 CFR § 1.17, which may become due in connection with the instant application or credit any overpayment to Deposit Account No.500933.

Respectfully submitted,



Date: December 26, 2007

John E. Tarcza

Reg. No. 33,638

Enclosures: Petition for 3-month extension of time
Check for \$510
Power of Attorney

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